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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-07-00488 CW
)	
Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING STATUS HEARING
vs.)	AS MODIFIED
)	
ANDRE MATTHEWS, et al.)	Hearing Date: September 26, 2007
)	Requested Date: October 24, 2007
Defendant.)	
_____)	

It is hereby stipulated that the STATUS hearing date of September 26, 2007 be continued to October 24, 2007 at 2:30 p.m. In addition, the parties stipulate and agree that time should be excluded between September 26, 2007 and October 24, 2007 due to the ongoing investigation by defense counsel. Approximately 4000 pages of discovery have been produced to defense counsel in electronic form. Not all of this has been printed. Seven CD-ROM's of discovery are forthcoming this week. The parties understand the court's preference for setting of motions by stipulation; however, the parties are not in a position to assess the time needed for discovery review or motions preparation. The parties will attempt to propose a motions schedule by stipulation prior to the requested next appearance.

1 The parties agree that the ends of justice served by the continuance requested herein
 2 outweigh the best interest of the public and the defendant in a speedy trial because the failure to
 3 grant the continuance would deny the counsel for the defendant the reasonable time necessary
 4 for effective preparation, taking into account the exercise of due diligence. Time should
 5 therefore be excluded pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

6
 7 _____ /s/ _____
 8 Date John Paul Reichmuth
 9 Assistant Federal Public Defenders
 10 Counsel for defendant Johnson

11 _____ /s/ _____
 12 Date Richard Tamor
 13 Counsel for defendant Bacon

14 _____ /s/ _____
 15 Date Michael Hinckley
 16 Counsel for defendant Green

17 _____ /s/ _____
 18 Date Garrick Lew
 19 Counsel for defendant Alexander

20 _____ /s/ _____
 21 Date Gail Shifman
 22 Counsel for defendant Kautzman

23 _____ /s/ _____
 24 Date John Hemann
 25 Counsel for defendant Matthews

26 _____ /s/ _____
 Date Laura Robinson
 Counsel for defendant Enriquez

_____ /s/ _____
 Date Mark Goldrosen
 Counsel for defendant Reyes

1 _____
Date

_____/s/
Seth Chazin
Counsel for defendant Williams

3 _____
Date

_____/s/
Keslie Stewart
Assistant United States Attorney

6 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)
within this efiled document.

_____/S/ John Paul Reichmuth
Counsel for Defendant Alicia Johnson

8
9
ORDER


10 Based on the reasons provided in the stipulation of the parties above, the Court hereby
11 finds that the ends of justice served by the continuance requested herein outweigh the best
12 interest of the public and the defendant in a speedy trial because the failure to grant the
13 continuance would deny the counsel for the defendant the reasonable time necessary for effective
14 preparation, taking into account the exercise of due diligence. The Court makes this finding
15 because the parties continue to investigate the new discovery, and because the parties are
16 engaging in settlement discussions.

17 Based on these findings, IT IS HEREBY ORDERED THAT the STATUS hearing date of
18 September 26, 2007 be continued to October 24, 2007 at **2:00 p.m.** and that time be excluded
19 from September 26, 2007 to October 24, 2007 pursuant to 18 U.S.C. §§3161 (h)(8)(A) and
20 (B)(iv).

21 IT IS SO ORDERED.

22
23 9/26/07

24 _____
Date



Honorable Claudia Wilken
Judge, United States District Court
Northern District of California